

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

SCIELE PHARMA, INC. <i>et al.</i> ,)	
)	
Plaintiffs,)	
)	
v.)	C.A. No. 09-037 (RBK) (JS)
)	(CONSOLIDATED)
LUPIN LTD., <i>et al.</i> ,)	
)	
Defendants.)	
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SHIONOGI, INC., <i>et al.</i> ,)	
)	
Plaintiffs,)	
)	C.A. No. 10-135 (RBK) (JS)
v.)	
)	
MYLAN, INC., <i>et al.</i> ,)	
)	
Defendants.)	

**JOINT STIPULATION REGARDING
AMENDED SCHEDULING ORDER**

IT IS HEREBY STIPULATED AND AGREED, subject to the approval of the Court, by and among the undersigned counsel for Plaintiffs Sciele Pharma, Inc., n/k/a Shionogi, Inc., Andrx Corporation, Andrx Pharmaceuticals, Inc. (n/k/a Watson Laboratories, Inc. – Florida), Andrx Pharmaceuticals, L.L.C., Andrx Pharmaceuticals (NJ), Inc., Andrx EU, Ltd., and Andrx Labs, L.L.C., and Defendants Lupin Ltd. and Lupin Pharmaceuticals, Inc., that the deadlines in the Amended Scheduling Order (D.I. 393) shall be revised as follows:¹

1. Pretrial factual discovery is hereby extended to **August 31, 2012**.²

¹ Although Defendants Mylan Inc. and Mylan Pharmaceuticals Inc. (collectively, “Mylan”) agree that a modification to the schedule is warranted, they do not agree that an extension of the requested duration is necessary. We are authorized to represent that Mylan will not formally oppose the requested extension and agrees to be bound by this stipulation.

² Lupin will work together with the other parties in an attempt to meet the proposed deadlines, but Lupin has concerns that an additional extension may be needed.

2. All parties with the affirmative burden of proof on an issue shall serve expert reports and expert disclosures pursuant to FED. R. CIV. P. 26(a)(2) by **October 2, 2012**. Responsive expert reports and expert disclosures pursuant to FED. R. CIV. P. 26(a)(2) shall be served by **November 9, 2012**. Each such report shall be accompanied by the curriculum vitae of the proposed expert witness. No expert opinion testimony shall be admitted at trial with respect to any witness for whom this procedure has not been timely followed. Depositions of proposed expert witnesses shall be concluded by **December 31, 2012**.

3. Dispositive and Daubert motions shall be filed with the Clerk of the Court no later than **January 31, 2013**, in accordance with the applicable Federal and Local Rules.

June 29, 2012

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IT IS SO ORDERED THIS ____ day of _____, 2012.

The Honorable Joel Schneider
United States Magistrate Judge